IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 24861 of 2003

Between:

M/s.IMP Power Ltd.(Formerly known as Industrial Meters Ltd) a Company incorporated under the Companies Act,1956 having its registered Head Office at "Advent",7th Floor,12-A,Gen.J.Bhosale Marg,Mumbai -400021, & its factory at Sayli Umerkuin Road, (Dadar & Nagar Haveli), Silvassa (U.T.), represented by its Vice President (Operation) Mr.S.L.Surana, S/o.Prahlad Rai Surana, R/o.Hyderabad.

..... PETITIONER

AND

1 The Transmission Corporation of Andhra Pradesh Limited, represented by its Chairman Cum Managing Director, Vidyuth Soudha, Hyderabad.
2 The Government of India, represented by its Secretary, Ministry of Commerce and
Industry Department of Commerce, Udyog Bhavan, New Delhi-110 001.
3 The Government of India, represented by its Secretary, Ministry of Finance, Department of Revenue, Udyog Bhavan, New Delhi-110 001.
4 The Central Board of Excise & Customs, represented by its Chairman, North Block,
New Delhi-110 001.
5 The Directorate General of Central Intelligence, West Zone, 3rd Floor, NTC House, 15,
M.V.Marg, Ballard Estate, Mumbai-400 038.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, direction or order especially in the nature of Writ of Mandamus declaring

the letter dated 9th July, 2002 issued by the Respondent No.1 as illegal and void and consequently declare and hold that the said duty exemption certificate have been issued validly and the petitioner is entitled to claim benefit of Notification No.108 of 1995 dated 28.08.1995.

Counsel for the Petitioner: MR.M.S.SRINIVASA IYENGAR

Standing Counsel for Respondent No.1: MR.SRIRAMULU REDDY

Standing Counsel for the Respondents 2 to 5: MR.A.RAJASEKHAR REDDY (Assistant Solicitor General)

The Court made the following:

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ORAL ORDER: (per GB. J.)

It is submitted by the learned Standing Counsel for the Central Government that similar and identical Writ Petition, viz., Writ Petition No.2980 of 2002, dated 7.3.2005, as that of this Writ Petition, was dismissed by this Court.

2. Recording the above submission and following the ratio laid down in the judgment referred to above, this Writ Petition is also dismissed. No costs.

(G.BIKSHAPATHY, J.)

8th April, 2005.

(P.S.NARAYANA, J.)

SSR

To

1 The Chairman Cum Managing Director, Transmission Corporation of Andhra Pradesh Limited, Vidyuth Soudha, Hyderabad.
2 The Secretary, Ministry of Commerce and Industry Department of Commerce, Government of India, Udyog Bhavan, New Delhi-110 001.
3 The Secretary, Ministry of Finance, Department of Revenue, Government of India,
Udyog Bhavan, New Delhi-110 001.
4 The Chairman, Central Board of Excise & Customs, North Block,
New Delhi-110 001.
5 The Director General of Central Intelligence, West Zone, 3rd Floor, NTC House, 15,
M.V.Marg, Ballard Estate, Mumbai-400 038.

6 2 CD copies

(Enclosing along with a copy of order dated 7.3.2005 passed in W.P.No.2980/2002)

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